

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

JOHN DOE,	:	
Plaintiff	:	
	:	
	:	
v.	:	No. 5:23-cv-0943
	:	
FRANKLIN AND MARSHALL COLLEGE,	:	
Defendant	:	

O R D E R

AND NOW, this 26th day of January, 2024, upon consideration of the Amended Complaint, ECF No. 33; the Motion to Dismiss the Title IX claims, ECF No. 35; and all briefs related thereto, ECF Nos. 36-39; **IT IS ORDERED THAT**:

1. The Motion to Dismiss, ECF No. 35, is **DENIED**.¹
2. **Within fourteen (14) days of the date of this Order**, Defendant shall file an answer to the Amended Complaint. *See* Fed. R. Civ. P. 12(a)(4).

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge

¹ Although this Court remains concerned about the sufficiency of the Title IX claims, *see* ECF Nos. 24-25, 31-32, after “accept[ing] all factual allegations as true [and] constru[ing] the [amended] complaint in the light most favorable to the plaintiff,” *see Phillips v. Cnty. of Allegheny*, 515 F.3d 224, 233 (3d Cir. 2008), and because other claims will proceed to discovery, the Title IX claims may proceed at this time.